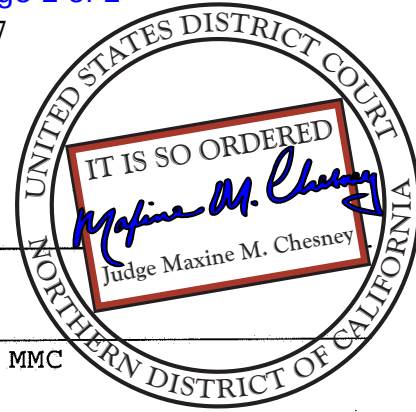


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 Kenneth J. Philpot (SBN 62401)  
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 1999 Harrison Street, Ste. 2400  
 Oakland, CA 94612-3572  
 510-763-2000

Dated: February 23, 2007



**UNITED STATES DISTRICT COURT**  
 Northern **DISTRICT OF CALIFORNIA**

K.C., by and through Erica C., her  
 guardian, et al.

CASE NUMBER: C-05-4077 MMC

Plaintiff(s)

v.

JACK O'CONNELL, in his official capacity  
 as Superintendent of Public Schools For  
 the State of California, et al.

Defendant(s)

**NOTICE OF DISMISSAL BY PLAINTIFF**  
**Rule 41(a)(1) F.R.Civ.P.**

**PLEASE TAKE NOTICE:**

☐ The above-entitled action is

or

☒ Defendant(s) Ruth E. Green, Glee Johnson, Alan Bersin, Ruth Bloom, Yvonne Chan,  
 Donald G. Fisher, Kenneth Noonan, Joe Nunez, Bonnie Reiss and Jonathan  
 Williams, each in his or her official capacity as a member of the State  
 Board of Education of the State of California

are

hereby dismissed by the plaintiff(s), pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.

Dated: February 21, 2007

/s/

Plaintiff / Attorney for Plaintiff  
 Kenneth J. Philpot

THIS NOTICE MAY BE FILED AT ANY TIME BEFORE SERVICE  
 BY THE ADVERSE PARTY OF AN ANSWER OR OF A MOTION  
 FOR SUMMARY JUDGMENT, WHICHEVER FIRST OCCURS.

**NOTICE OF DISMISSAL BY PLAINTIFF**  
**(Rule 41(a)(1), F.R.Civ.P.)**